UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CASE NO. 07 Civ. 4113 (LLS)

CHINESE AUTOMOBILE DISTRIBUTORS OF AMERICA, LLC, a limited liability company, individually and, with respect to certain claims, in a derivative capacity,

Plaintiff,

v.

MALCOLM BRICKLIN, an individual; **JONATHAN BRICKLIN**, an individual; **BARBARA BRICKLIN JONAS**, an individual; **MICHAEL JONAS**, an individual; **SANIA TEYMENY**, an individual; **SCOTT GILDEA**, an individual; and **VISIONARY VEHICLES, LLC**, a limited liability company;

Defendants.

_______________________________________/

DEFENDANTS MOTION TO EXTEND TIME TO FILE RESPONSE TO THE PLAINTIFFS' AMENDED COMPLAINT

COMES NOW, the Defendants, VISIONARY VEHICLES, LLC, MALCOLM BRICKLIN, JONATHAN BRICKLIN, BARBARA BRICKLIN JONAS, MICHAEL JONAS, SANIA TEYMENY, but not SCOTT GILDEA (collectively referred to as the "Defendants"), and move this Court to extend their time to respond to the Defendants' Amended Complaint and states as follows:

1. The Plaintiff's served its Amended Complaint in the instant matter on July 11, 2008. The Defendants' time to respond to the Amended Complaint expires on or about July 31, 2008.

2. The Defendants have filed concurrent with this Motion, a Motion to Disqualify the firm of McCarter & English, LLP (the "McCarter Firm"), counsel for the Plaintiff, based upon an irresolvable conflict of interest. The Defendants believe that the McCarter Firm should be disqualified because one of their partners, for a two-year period overlapping the filing of the instant lawsuit, represented the Defendant, VISIONARY VEHICLES, LLC, in matters very closely intertwined to the claims made in the Plaintiff's Amended Complaint.

3. The Defendants, in order to conserve resources and not respond to an Amended Complaint which they believe was drafted by a law firm which should be disqualified, have requested from the McCarter Firm the courtesy of extending their time to respond to the instant Amended Complaint until this Court has an opportunity to rule on the Motion to Disqualify. The McCarter Firm has declined to extend the Defendants that courtesy. Therefore, it has been necessary to file this Motion to request the Court to extend the time to respond to the matters set forth in the Amended Complaint until such time as the Motion to Disqualify is decided.

WHEREFORE, it is respectfully requested that this Court grant the Defendants the opportunity to extend their time to respond to the Amended Complaint until twenty (20) days after the Court has ruled upon the Motion to Disqualify Plaintiff's counsel.

Dated: July 25, 2008
Boca Raton, Florida

Respectfully submitted,

s/ Jan Michael Morris

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CERTIFICATE OF SERVICE

I certify that on July 25, 2008, a true and correct copy of the foregoing Motion to Extend Time to File Response to the Defendants' Amended Complaint was electronically filed and served by Facsimile on all counsel or parties of record on the service list.

s/ Jan Michael Morris

SERVICE LIST
CASE NO. 07 Civ. 4113 (LLS)

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